

**REMARKS**

The Office Action mailed March 17, 2008 has been reviewed and its contents carefully considered. In view of the foregoing amendments and following remarks, reconsideration and allowance of this application are respectfully requested.

Turning first to the Rejection under 35 USC 112, Applicants have amended claims 1, 3, 4, 5, 9 and 10 in response to the items identified. Withdrawal of the rejection is requested.

Claim 12 is newly presented and includes the apparatus limitations of claim 1.

Claims 1-7 are rejected under 35 USC 103(a) over Applicant's Admitted Prior Art (AAPA) and in view of US Patent 6,850,812 to Dinauer ('812). Claims 8 and 9 are rejected under 35 USC 103(a) over AAPA, in view of '812, and further in view of US Patent 5,435,724 to Goodman ('724). These rejections are respectfully traversed.

The invention as recited in claim 1 includes the feature that a plane radiation density is controlled in a range of .05-2 joule/mm<sup>2</sup> on an irradiation area of 20-200 mm<sup>2</sup> by a first control part. This feature is fully supported in the specification at paragraph [[030], which describes that if the plane irradiation density is less than .05 joules/ mm<sup>2</sup>, the scribe line is not generated due to a shortage of energy. This paragraph further describes that although the large irradiation amount results in a deep scribe line if the plane irradiation density exceeds 2 joules/ mm<sup>2</sup>, the scribe line has a zigzag pattern which negatively affects the following breaking process.

It is respectfully submitted that at least the claimed feature described above is not taught or suggested by any of the prior art used in the rejections. Moreover, the Office Action is not seen to identify any part of any reference that allegedly teaches or suggests the claimed irradiation density ranges.

In this regard, it appears that the Office Action may be taking the position that the claimed laser irradiation density is a method limitation which would not impart patentability to an apparatus claim. However, it is respectfully submitted that claim 1 recites a cutting machine which operates in a claimed controlled range. The characteristics of this machine operating in this claimed controlled range are believed to impart patentability to such a system.

In view of the foregoing, reconsideration and allowance of the application are believed in order and such action is earnestly solicited.

CONCLUSION

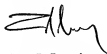
In view of the foregoing amendments and remarks, reconsideration and allowance of the application are believed in order and such action is earnestly solicited.

The Examiner is invited to contact the undersigned at the telephone number listed in an effort to resolve any matter still outstanding before issuing another action.

The Commissioner is authorized to charge any deficiencies in fees and credit any overpayments to Deposit Account No. 50-2036 with reference to Attorney Docket No. 87408.2000.

Respectfully submitted,

BAKER & HOSTETLER LLP



Leo J. Jennings  
Registration No. 32,902

Date: November 20, 2008  
Washington Square, Suite 1100  
1050 Connecticut Avenue, N.W.  
Washington, D.C. 20036-5304  
Tel: 202-861-1500  
Fax: 202-861-1783